


**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

|                     |   |                        |
|---------------------|---|------------------------|
| CORTEZ L. FRANKLIN, | ) |                        |
|                     | ) |                        |
| Petitioner,         | ) |                        |
|                     | ) |                        |
| vs.                 | ) | Case No. CIV-12-0865-F |
|                     | ) |                        |
| STATE OF OKLAHOMA,  | ) |                        |
|                     | ) |                        |
| Respondent.         | ) |                        |

**ORDER**

Magistrate Judge Robert E. Bacharach has filed a Report and Recommendation, doc. no. 6, recommending that the court: 1) deny the motion to proceed *in forma pauperis* (doc. no. 2) because petitioner has adequate funds for the filing fee; 2) order payment of the fee within twenty-one days; and 3) dismiss this action without prejudice absent failure to pay the fee. The Report also advised that failure to object to the Report would waive the right to appellate review over denial of pauper status in district court. No objection has been filed, and no extension has been requested. Upon review, and with no objection having been filed, the Report is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. Petitioner is directed to pay the filing fee within twenty-one days of the date of this order. Absent payment of the fee or a showing of good cause for the failure to do so, this action will be dismissed without prejudice.

Dated this 13<sup>th</sup> day of September, 2012.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE